

09581967

10-19-67

CLAIMS AS FILED - PART I

(Column 1)	(Column 2)
TOTAL CLAIMS	
FOR	NUMBER FILED NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	minus 20 =
INDEPENDENT CLAIMS	minus 3 =
MULTIPLE DEPENDENT CLAIM PRESENT	<input type="checkbox"/>

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR
Total	14	Minus .. 20
Independent	4	... 4
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM		

(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR
Total	24	Minus .. 20
Independent	6	... 4
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM		

(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR
Total	25	Minus ..
Independent	6	... 3
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM		

If the entry in Column 1 is less than the entry in column 3, write "0" in column 3.
 If the HIGHEST Number Previously Paid For IN THIS SPACE is less than 20, enter "20".
 If the HIGHEST Number Previously Paid For IN THIS SPACE is less than 3, enter "3".
 The HIGHEST Number Previously Paid For (Total or Independent) is the highest number found in the appropriate box in column 1.

SMALL ENTITY TYPE		OTHER THAN SMALL ENTITY	
RATE	FEES	RATE	FEES
BASIC FEE		OR BASIC FEE	970
X\$ 9=		OR X\$18=	
X40=		OR X80=	70
+135=		OR +270=	
TOTAL		OR TOTAL	1038

SMALL ENTITY		OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
X\$ 9=		OR X\$18=	
X40=		OR X80=	
+135=		OR +270=	
TOTAL ADDIT. FEE		OR TOTAL ADDIT. FEE	

AMENDMENT B		AMENDMENT C	
RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
X\$ 9=		OR X\$18=	200
X40=		OR X80=	
+135=		OR +270=	
TOTAL ADDIT. FEE		OR TOTAL ADDIT. FEE	

AMENDMENT C		AMENDMENT D	
RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
X\$ 9=		OR X\$18=	
X40=		OR X80=	
+135=		OR +270=	
TOTAL ADDIT. FEE		OR TOTAL ADDIT. FEE	

BEST AVAILABLE COPY

United States Patent and Trademark Office
- Sales Receipt -

10/24/2005 MPEOPLES 00000001 231703 09581967
Sale Ref: 00000001 DA#: 231703 09581967
01 FC:1202 200.00 DA

FROM W&C LLP 19TH FL.

(FRI) 10.14'05 11:27/ST. 11:26/NO. 4260454723 P 1

1103326-0624

RECEIVED
CENTRAL FAX CENTER

OCT 14 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Abrahamsson et al.
Serial No. : 09/581,967
Filed : June 19, 2000
For : NEW PHARMACEUTICAL FORMULATIONS
Examiner : Micah Paul Young
Group Art Unit : 1618

*Cherry
(3) M/S*

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8		
I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below at the facsimile number 571-273-8300.		
John M. Genova _____ Agent Name	32,224 PTO Reg. No.	
<i>John M. Genova</i> Signature	<i>1401020622</i> Date of Signature	

Mail Stop Amendment
Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

Attn: Examiner Micah Paul Young
Facsimile: 571-273-8300
Pages: 8 pages total

AMENDMENT

Sir:

Applicants submit this communication in response to the Office Action, mailed
April 21, 2005.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this
paper.

Remarks begin on page 4 of this paper.

NEWYORKX 5030020 v1 [5030020_1.DOC] (2K)

PAGE 18 *RCVD AT 10/14/2005 11:24:58 AM [Eastern Daylight Time]* SVR:USPTO-EFXRF-6/29*DNIS:2738300*CSID:2128197583*DURATION (mm:ss):03:00

FROM W&C LLP 19TH FL.

(FRI) 10.14' 05 11:29/ST. 11:26/NO. 4260454723 P 8

Serial No 09/581,967, filed June 19, 2000

Docket No. 1103326-0624

Page 8 of 8

IBAT inhibitor is layered with a delayed release membrane for delivery to the ileum whereas the bile acid binder is layered with a delayed release binder to the colon.

For all of the foregoing reason, Applicants respectfully submit that a *prima facie* case of obviousness has not been established. Accordingly, the rejection of claims 33-35 and 41-45 is improper and should be withdrawn.

CONCLUSION

Upon entry of this Amendment, claims 29 and 33-45 remain pending. Applicants respectfully submit that claims 29 and 33-45 are in condition for allowance. Prompt issuance of a Notice of Allowance is earnestly solicited.

The Assistant Commissioner is hereby authorized to charge any fee due in connection with this communication to Deposit Account No. 23-1703.

Dated: 14 Octo 2005

Respectfully submitted,



John M. Genova
Reg. No. 32,224

Customer No. 007470
White & Case LLP
Direct Dial: (212) 819-8832

United States Patent and Trademark Office
- Sales Receipt -

10/24/2005 MPEOPLES 00000002 231703 09581967

01 FC:1253 1020.00 DA